

TOWN OF KITTERY, MAINE
PLANNING BOARD MEETING
Council Chambers

APPROVED
September 13, 2012

Meeting called to order at 6:00 p.m.

Board Members Present: Thomas Emerson, David Kelly, Deborah Driscoll, Ann Grinnell, Susan Tuveson, Robert Melanson, Rich Balano

Members absent: none

Staff: Gerry Mylroie, AICP, Town Planner; Mr. Di Matteo

Mr. Kelly assumed the Chair in the temporary absence of Chairman Emerson.

Pledge to the Flag

Minutes: August 23, 2012

Ms. Driscoll moved to accept the minutes of August 23, 2012 as amended

Mr. Melanson seconded

Motion carried unanimously by all members present

Public Comment:

Public comment and opinion are welcome during this open session. However, comments and opinions related to development projects currently being reviewed by the Planning Board will be heard only during a scheduled public hearing when all interested parties have the opportunity to participate.

There was no public comment.

ITEM 1 – York Hospital –Site Plan Amendment – Field Change-Minor Plan Amendment

Action: Discuss Site Walk Findings. York Hospital obtained approval to amend a previously approved site plan for their development to include construction of chiller units to the rear of the parking lot and associated landscape and other appurtenances. Property is located at 35 Walker Street at State Road in the Business Local 1 and Mixed Use Kittery Foreside Zones; Tax Map 4 Lot 168. Agent is Joseph Cheever, EIT, with Attar Engineering.

Mr. Mylroie reported that three Board members (Melanson, Driscoll and Tuveson) were present at the 9/13/12 site walk and asked Ms. Driscoll to report. **Ms. Driscoll** stated there were a couple of abutters [Mr. Driscoll, Ron Tuveson] and Herb Kingsbury, Conservation Commission, were also present. She asked Ken Wood, Attar Engineering, to summarize his presentation at the site walk. **Ken Wood** explained Attar Engineering had used a plan from 1999 illustrating a wetland area and a drainage ditch adjacent to the site. When Attar prepared the existing conditions plan, they utilized this as a based plan, but he identified the entire area as a wetland. In October 2011 it became apparent the fencing around the original chiller locations could not be accommodated and it was proposed to move the chiller units to the current location after some discussion with Planning staff. In referencing the 1999 plan, the area was identified as a drainage ditch. He found the ordinance has a definition for drainage ditches and setbacks requirements. Following a site walk, it was agreed a third party Wetland Scientist [Mike Mariano] be hired to determine the locations of the wetland boundary and the drainage ditch. Based on identified hydrophytic vegetation in the wetland area and lack of same and limited vegetation adjacent to the wetland, the area was determined to be a drainage ditch, as identified in the 1999 plan. Mr. Wood apologized for his error in identifying the drainage ditch as a wetland area, but noted the reviews by Mr. Mariano and the CEO confirmed the area as a drainage ditch, not a wetland. The chillers are now located outside of the setback for a drainage ditch. The original notice of violation was resolved and the violation was removed.

Earldean Wells noted any discussion of a drainage ditch during the site walk with the Code Enforcement Officer and peer review engineers was not done in her presence. **Mr. Mylroie** stated the movement of the chillers was treated as a minor field changed, approved by the Code Enforcement Officer and Town

Planner. **Ms. Grinnell** stated the new plan, showing the new location of the chiller units, has not been signed by the Planning Board, and noted she objected to the 'behind the scenes' process in which this issue was resolved after the chillers were placed on site, without Planning Board review, as she did not believe this should be considered a minor field change. **Mr. Mylroie** stated there was no 'behind the scenes' discussion regarding location of the chiller unit, but noted the movement was considered a field change. **Mr. Melanson** stated he recognized non-wetland growth in the drainage ditch area. **Ms. Wells** stated Board review and approval of this project was based on plans identifying the area as a wetland not a drainage ditch, and subsequent changes were made to the approved plan. **Ms. Driscoll** stated had the area been identified as a drainage ditch, the notice of violation would never have been issued by the Code Enforcement Officer, so it appears the field change decision was made without the Code Officer's involvement, as required. **Mr. Wood** again apologized for his error in identifying the ditch as a wetland, but stated they have followed the ordinance regarding field changes and subsequent relocation of the chillers, and admitted they thought they had an approved field change in October. **Mr. Kelly** summarized the issue and further discussed the need to resolve the field change issue and ordinance language regarding the process and Board involvement. **Ms. Tuveson** asked about the remaining site work to be completed. **Mr. Wood** stated this is a punch list for completion.

Mr. Wood thanked all the parties involved.

There was no further action on this item.

Chairman Emerson arrived.

PUBLIC HEARING:

ITEM 2 – Yankee Commons Mobile Home Park Expansion – Subdivision Plan Review.

Action: Hold Public Hearing, Review Preliminary Plan. Stephen A. Hynes, Trustee, owner, proposes to expand the adjacent Yankee Commons Mobile Home Park to create 79 sites on 50 acres. Property is located off Idlewood Lane/U.S. Route 1, Map 66 Lots 24, Mixed Use (MU) Zone. Agent is Tom Harmon, PE, Civil Consultants.

Jay Stevens, Civil Consultants, distributed the Overall Land Use Plan (Sheet C2A) to the Board. He described the expansion proposal of 77 mobile home sites, a new dual road extension off Idlewood Lane, and identified the three phased areas, Wilson Family cemetery area, walking paths, and the wetland, open spaces and setback requirements. He noted all 'no-disturb' areas will be flagged prior to construction. Proposed site allocation is as follows:

- Total acres – 50.1
- Unit / lot area – 23%, 11.6 acres
- Roadways – 6%, 2.8 acres
- Total developed area: 29%
- Wetlands – 21%, 10.7 acres
- No-disturb areas - 25%, 12.4 acres
- Open space – 25%, 12.6 acres
- Density is calculated at 504,355 sf (77 sites) vs. 688,764 sf (137 sites)

He explained some of the open space will be graded, but not developed, aside from the 5-foot wide stone dust walking paths. Walking paths will be developed following the contours of the land. Removal of ledge would be done at the same time, though development would be phased. **Earldean Wells** asked about the walking path crossing the stream. **Mr. Stevens** stated where the paths cross a wetland/stream area, cedar walks and bridges will be built. He presented cross-section plans illustrating the 'significant' amount of material to be excavated, noting approximately 178,000 cubic yards will be removed.

There was no public testimony, and the Public Hearing opened and closed at 7:02 p.m.

Ms. Kelly requested information on the threshold issue regarding excavation of the site.

Mr. McEachern, Town Attorney, stated that because of the proportion of excavation, he did not believe it was 'incidental' to the development. The ordinance allowance for excavation is 100 cubic yards, and this proposal exceeds that by approximately 1,000-2,000 percent and some regulation is needed.

Mr. Emerson asked if excavation is allowed in the MU Zone. **Mr. McEachern** stated it is not listed as a special exception; however excavation is listed as a condition within the MU Zone. Regarding State statute, the expansion, under normal circumstances, is allowed in the MU Zone. The applicant must, however, conform to Kittery's ordinance regarding the actual development of the parcel as a mobile home park expansion. **Ms. Grinnell** asked who makes the decision as to whether the excavation is incidental to the development. **Mr. Kelly** explained it is the Board's decision. **Ms. Tuveson** asked if the development can be accomplished by removing only 100 cubic yards of material. **Mr. Beers** stated 100 cubic yards is equal to about 100 feet of roadway entrance. **Mr. Mylroie** read the definition of mineral extraction which means: *any operation within any twelve (12) month period which removes more than one hundred (100) cubic yards of soil, topsoil, loam, sand, gravel, clay, rock, peat, or other like material from its natural location and to transport the product removed, away from the extraction site*, and asked if the excavated materials will be removed or re-distributed on the site. **Mr. Stevens** stated some of the material could be used on site, but there will be some removal of the material as well.

Mr. Melanson moved to find the removal of this quantity of material is not incidental to the project and the applicant should move forward with the special permitting process.

Ms. Grinnell seconded

Discussion:

Mr. Melanson stated the applicant can proceed in the special permitting process necessary for mineral extraction. **Ms. Driscoll** asked how a permit can be issued if mineral extraction is not permitted in the Mixed Use Zone. **Ms. Tuveson** noted if mineral extraction is not an allowed use in the zone the applicant would have to receive a variance from the Board of Appeals. **Mr. Mylroie** suggested the extraction would become a use and, if the use is not a permitted or special exception use in the zone, the ordinance could be amended to allow for mineral extraction. **Mr. McEachern** noted it is unclear why a condition for mineral extraction is included in the Mixed Use Zone where the use is not. **Bill Straub, CMA**, stated there may be other plan designs for the site that could be submitted that would not require the extensive excavation the existing plan does. A plan designed that works with existing site conditions may have only incidental excavation versus the amount proposed. **Mr. Beers** remarked that state statute mandates that local municipalities may not enact ordinances that reduce the density of the proposed development. The proposal has been reduced from 137 to 77 units. Another plan resulting in fewer lots would be unacceptable. The estimated amount of removal is 170,000 cubic yards, with the least amount at approximately 145,000 cubic yards. **Ms. Grinnell** asked what happens to the removed material. **Mr. Beers** stated the removed material would be sold or provided to the contractor as compensation for grading and final site preparation. **Mr. Stevens** explained there were three prior designs resulting in less cutting, but would not be economically viable due to the mobile home pad size and design requirements, and grading distances between sites. Given the site conditions, this plan provides the number of units needed to make the project feasible and remain within the state guidelines. **Mr. Straub** stated hundreds of trucks each week would be needed to remove the material from the site, blasting schedules established. and, if the project remains as proposed, excavation would be essential to the project. **Mr. McEachern** explained the Kittery ordinance does not eliminate the use of the site for a mobile home park. However, if the topography doesn't fit the proposed project, that is not an ordinance constraint. An applicant can't argue that the ordinance prevents him from using the land; however, the ordinance may prevent the applicant from maximizing what they would like to do on the land. The primary goal is not to remove the ledge, but to create the sites, and the decision is whether this removal is incidental.

Mr. Melanson moved to amend his prior motion and to determine that the proposed material excavation is not incidental to the construction activities of the project.

There was no further discussion

Motion carries unanimously

Mr. Kelly stated an opinion is needed as to whether mineral extraction is allowed in the Mixed Use Zone and, if allowed, how a permit will be issued. **Mr. McEachern** suggested the next move for the applicant may be to apply for the mineral extraction permit to the CEO. If the CEO denies the permit, the applicant could then appeal her decision to the Board of Appeals. Alternatively, the applicant could return with a revised plan and the Board could determine the amount of excavation is incidental. **Earldean Wells** asked about tree removal and how replacement would be managed. **Mr. Melanson** stated the site has been timbered and the remaining trees are not significant. **Mr. Beers** suggested a postponement to retain review position.

Ms. Tuveson moved to continue the application.

Mr. Melanson seconded

Motion carries unanimously

Break

ITEM 3 – Beatrice Way Subdivision –Approved Subdivision Expiration Extension Request.

Action: Discuss Site Walk, review, grant or deny extension. - Operation Blessing Limited Partnership, requests a second time extension for one year to complete the construction of a previously approved 3-lot subdivision of ±3.2 acres located between Highpoint Circle and Kittree Lane. Tax Map 61 Lot 08, Residential - Rural (R-RL) Zone.

The applicant requested this item be withdrawn from Planning Board consideration.

ITEM 4- (20 minutes) – James and Jodie Nielsen, Right-of-Way Plan.

Action: Review Final Plan Submittal and Wetland Alteration and Street Naming applications, grant or deny approval. James and Jodie Nielsen, owner and applicant, requests approval to create a Class I Private Street located off Picott Road, Tax Map 60, Lot 2, Residential-Rural Zone. Agent is Bill Anderson, P.E., Anderson Livingston Engineers.

Bill Anderson summarized the project to date. He requested the staff sketch illustrating a no-cut buffer along Picott Road be amended to include only the westerly side of the ROW due to the existing condition of the easterly side. The applicant is amenable to the request that there will be no further division north of the proposed ROW.

Ms. Grinnell asked why the applicant has not provided full wetland delineation or included the full parcel on the plan. **Mr. Anderson** stated delineation is expensive, they included the ROW area, and there is no development potential north of the proposed ROW. **Earldean Wells** stated a full plan and delineation is required by ordinance. **Mr. Anderson** stated the Planning Board, at a previous meeting, appeared to concur that the full parcel mapping would not be required. **Mr. Kelly** stated he recalled agreeing with this and that further division could not be done without Planning Board approval. **Mr. Anderson** stated the owner [Jodie Neilsen] agreed to note there will be no further development of the property. **Mr. Di Matteo** suggested the note should be crafted in such a way that the existing house lot not be impacted. **Mr. Kelly** suggested the condition note on the final plan would be ‘there will be no further division of this property’. **Mr. Mylroie** noted there are two additional waivers for wetland alteration and mitigation studies. **Mr. Di Matteo** stated since these are requirements, the Board should waive these as the information submitted was determined to be reasonable to the development. **Mr. Mylroie** asked the Board to consider the no-disturb buffer along Picott Road as illustrated in the staff sketch, since Picott Road is a scenic roadway as identified in the Comprehensive Plan. **Mr. Melanson** suggested the westerly side of the proposed buffer is not along Picott Road, but Patriots Lane. Discussion followed regarding the old “Woods Road” and whether an easement would be needed to cross. **Mr. Kelly** suggested a condition requiring a buffer along Picott Road only to the east of Patriots Lane. Discussion followed regarding whether the Board should require formal abandonment of Woods Road. The Board concurred this was not an issue they needed to address.

Ms. Tuveson moved to accept the proposed road name of *Patriots Lane*
Mr. Balano seconded
Motion carries unanimously

Mr. Kelly read the Findings of Fact:

WHEREAS: Applicant and Owner James and Jodie Nielson propose to create a Class I Private Street Right-Of-Way off Picot Road, northeast of Ella Woods Drive. The property, located in the Residential-Rural (R-RL), Map 60, Lot 2, is proposed for the purposes to access and provide frontage to one (1) or two (2) future lots.

Now therefore, based on the entire record before the Planning Board and pursuant to the applicable standards in the Land Use and Development Code, the Planning Board makes the following factual findings as required by Section 16.10.8.3.4. and as recorded below:

Action by the board must be based upon findings of fact which certify or waive compliance with all the required standards of this title, and which certify that the development satisfies the following requirements:	
A. <i>Development Conforms to Local Ordinances.</i>	Vote of <u>7</u> in favor <u>0</u> against <u>0</u> abstaining
B. <i>Freshwater Wetlands Identified.</i>	Vote of <u>7</u> in favor <u>0</u> against <u>0</u> abstaining
C. <i>River, Stream or Brook Identified.</i>	Vote of <u>7</u> in favor <u>0</u> against <u>0</u> abstaining
D. <i>Water Supply Sufficient.</i>	Vote of <u>7</u> in favor <u>0</u> against <u>0</u> abstaining
E. <i>Municipal Water Supply Available.</i>	Vote of <u>7</u> in favor <u>0</u> against <u>0</u> abstaining
F. <i>Sewage Disposal Adequate.</i>	Vote of <u>7</u> in favor <u>0</u> against <u>0</u> abstaining
G. <i>Municipal Solid Waste Disposal Available.</i>	Vote of <u>7</u> in favor <u>0</u> against <u>0</u> abstaining
H. <i>Water Body Quality and Shoreline Protected.</i>	Vote of <u>7</u> in favor <u>0</u> against <u>0</u> abstaining
I. <i>Groundwater Protected.</i>	Vote of <u>7</u> in favor <u>0</u> against <u>0</u> abstaining
J. <i>Flood Areas Identified and Development Conditioned.</i>	Vote of <u>7</u> in favor <u>0</u> against <u>0</u> abstaining
K. <i>Stormwater Managed.</i>	Vote of <u>7</u> in favor <u>0</u> against <u>0</u> abstaining
L. <i>Erosion Controlled.</i>	Vote of <u>7</u> in favor <u>0</u> against <u>0</u> abstaining

<i>M. Traffic Managed.</i>	
	Vote of <u>7</u> in favor <u>0</u> against <u>0</u> abstaining
<i>N. Water and Air Pollution Minimized.</i>	
	Vote of <u>7</u> in favor <u>0</u> against <u>0</u> abstaining
<i>O. Aesthetic, Cultural and Natural Values Protected.</i>	
	Vote of <u>7</u> in favor <u>0</u> against <u>0</u> abstaining
<i>P. Developer Financially and Technically Capable.</i>	
	Vote of <u>7</u> in favor <u>0</u> against <u>0</u> abstaining
<i>Q.&R. Standards not relevant to this ROW review.</i>	
<i>S. For Right of Way Plan.</i> <i>The proposed ROW:</i> <i>1. Does not create any non-conforming lots or buildings; and</i> <i>2. Could reasonably permit the right of passage for an automobile</i>	
	Vote of <u>7</u> in favor <u>0</u> against <u>0</u> abstaining
<i>16.10.7.2 Final Plan Application Submittal Content.</i> <i>T. Right-of-Way Plan.</i> <i>1. A completed application for a Planning Board approved right-of-way must include the requirements of Section 16.10.5.2 with the following modifications:</i>	
<i>a. The following submission requirements are not necessary for Right-of-Way review: Section 16,10.5.2B.10, parts e, i through k, n and p; and Section 16.10.5.2C,5 through 12.</i>	
<i>b. Section 16.10.7.2G modified so floor plans and elevations of principal structures are not required;</i>	
<i>c. Include the size of the parcel minus the area in the ROW, and the street frontage excluding the ROW;</i>	
<i>d. Only need to show and locate on the plan the names and addresses of all owners of record of contiguous property, including those across a street;</i>	
<i>e. Include required front yards from the R.O.W. on the plan.</i>	
	Vote of <u>7</u> in favor <u>0</u> against <u>0</u> abstaining
<i>T. Standard not relevant to this ROW review.</i>	
WETLAND ALTERATION FINDINGS OF FACT	
<i>16.9.3.7 Wetlands Alteration Approval Criteria</i>	
<i>A. In making the final determination as to whether a wetland application should be approved, the Planning Board will consider existing wetland destruction and the cumulative effect of reasonably anticipated future uses similar to the one proposed.</i>	
	Vote of <u>7</u> in favor <u>0</u> against <u>0</u> abstaining
<i>B. It is the responsibility and burden of the applicant to show that the proposed use meets the purposes of this Code and the specific standards listed below to gain Planning Board approval to alter a wetland.</i>	
	Vote of <u>7</u> in favor <u>0</u> against <u>0</u> abstaining

<i>C. In evaluating the proposed activity, the Planning Board may need to acquire expert advisory opinions.</i>
Vote of <u>7</u> in favor <u>0</u> against <u>0</u> abstaining
<i>D. When the Planning Board finds the demonstrated public benefits of the project as proposed, or modified, clearly outweigh the detrimental environmental impacts, the Planning Board may approve such development, but not prior to granting approval of a reasonable and practicable mitigation plan, (see Section 16.9.3.9) and not prior to the completion of all performance guaranties for the project, (see Section 16.10.8.2.2).</i>
The Applicant has addressed a mitigation plan, proposing to preserve two 15-foot wide undisturbed upland buffer zones along the northerly side of the wetlands. As per 16.9.3.9 B.3 there is a Wetland Preservation Fee the Applicant is required to pay which would amount to \$7,400.00 (\$4/sf x1,850 sf)d a mitigation plan, proposing to preserve two 15
<i>E. The applicant must submit applicable documentation that demonstrates there is no practicable alternative to the proposed alteration of the wetland.</i>
Vote of <u>7</u> in favor <u>0</u> against <u>0</u> abstaining
<i>F. In determining if the proposed development plan affects no more wetland than is necessary the Planning Board will consider if the alternatives discussed above in subsection A of this section accomplish the following project objectives: The proposed use will not:</i> <ol style="list-style-type: none"><i>1. Unreasonably impair or diminish the wetland's existing capacity to absorb, store, and slowly release stormwater and surface water runoff;</i><i>2. Unreasonably increase the flow of surface waters through the wetland;</i><i>3. Result in a measurable increase in the discharge of surface waters from the wetland;</i><i>4. Unreasonably impair or diminish the wetland's capacity for retention and absorption of silt, organic matter, and nutrients;</i><i>5. Result in an unreasonable loss of important feeding, nesting, breeding or wintering habitat for wildlife or aquatic life; all crossings must be designed to provide a moist soil bed in culvert inverts and to not significantly impede the natural migration of wildlife across the filled area;</i><i>6. Result in a measurable increase of the existing seasonal temperature of surface waters in the wetland or surface waters discharged from the wetlands.</i><i>7. Result in a measurable alteration or destruction of a vernal pool.</i>
Vote of <u>7</u> in favor <u>0</u> against <u>0</u> abstaining

Now, therefore, the Kittery Planning Board adopts each of the foregoing Findings of Fact and based on these Findings determines the proposed Development will have no significant detrimental impact, and the Kittery Planning Board hereby votes to grant Approval for the Right-Of-Way Plan, associated Wetland Alteration Plan and Street Naming Application [Street Name: *Patriots Lane*] at the above referenced property, with waivers granted as noted below and contingent upon the following conditions per Title 16.10.8.2.1., Conditions for Final Subdivision Plan Approval and Conditions of Approval.

Vote of 7 in favor 0 against 0 abstaining

Waivers:

1. Title 16.8.2.1 Monuments – Iron pipes substituted for the required granite monuments;
2. Title 16.10.5.2.C.7 - Drainage Report sufficient for the size of the project, and reviewed by Town Review Engineer;
3. Title 16.10.5.2.C.6 – YCSWCD Review - Submitted Erosion Control plan sufficient for the size of the project and reviewed by the Town Review Engineer;
4. Title 16.9.3.12.C.1 – Wetland Alteration – Submitted plans sufficient for project size.
5. Title 16.9.3.12.C.3 – Wetland Mitigation – Submitted plans sufficient for project size.

Vote of 7 in favor 0 against 0 abstaining

Conditions for Approval

1. Waivers and conditions must be included on the final plan prior to the signing of the Mylar by the Planning Board Chair.
2. Prior to the release of signed plans, the applicant must pay all outstanding fees associated with permitting, including, but not limited to, Town Attorney fees, peer review, newspaper advertisements and abutter notification. The applicant must submit payment for wetland alteration in the amount of \$7,400.00 (\$4/sf x 1,850 sf).
3. State law requires that any plans receiving waivers or variances and all subdivision plans must be recorded at the York County Registry of Deeds within 90 days of the approval date.
4. Prior to any earth moving or soil disturbance, one (1) mylar copy and two (2) paper copies of the recorded Plan, and any and all related state/federal permits or legal documents that may be required, must be submitted to the Planning Department.
5. Any and all deed restrictions including but not limited to the 15-foot wide Buffer Zone must be designated on the final Right-Of Way plan and incorporated in a revised property deed, to be recorded at the YCRD after review by Planning Staff.
6. The remaining property may not be further divided.
7. A no-cut, no-disturbance buffer zone shall be delineated on the plan, located to the east of Patriots Lane per staff sketch plan dated September 13, 2012.

Accordingly, the Town Planning Board hereby moves to:

1. Approve the Findings of Fact, acknowledge their reading, and record their approval;
2. Approve the plan with any waivers and/or conditions as noted; and
3. Authorize the Town Planning Board Chairman to sign the final plan upon confirmation by the Town Planner of compliance with any Conditions of Approval and/or plan note conditions.

Vote of 7 in favor 0 against 0 abstaining

APPROVED BY THE KITTERY TOWN PLANNING BOARD ON SEPTEMBER 13, 2012.

Thomas Battcock-Emerson, Town Planning Board Chairman

ITEM 5 – Town Planner Items:

- A. Review and approve informational signs with town seal at the Kittery Community Center
Approved

Mr. Mylroie presented designed plans for the Kittery Community Center and their locations on site. He requested a Planning Board waiver to approve per Title 16.8.9.B.

Mr. Kelly moved to approve the Kittery Community Center signage per Title 16.8.9.B, September 13, 2012 site plan revisions.

Mr. Melanson seconded

Ms. Grinnell noted the York Hospital logo is on the directional signage as submitted. **Mr. Mylroie** stated this would be removed from the sign. **Ms. Tuveson** asked why local sign makers were not used. **Mr. Mylroie** stated the sign maker came through the Department of Public Works. He noted directional signs do not require permits, but are part of the Planning Board review process as part of the site plan.

Motion carried unanimously

B. Other Updates

Ms. Grinnell asked about the new pier project. **Mr. Melanson** explained there will be a workshop with the Town Council regarding the BIG project on September 24, 2012 at 6:00 p.m. He also announced John Carson, KPA Chairman, resigned and he was elected as the KPA Chairman and may be resigning from the Planning Board, per Council direction.

Mr. Emerson reminded the Board the public hearing on Title 16 amendments will be held on September 24, 2012. Remaining meetings of the Planning Board are September 27, October 11 and October 25, November 8 and December 13.

Ms. Driscoll asked about a workshop on septic pumping on September 24. **Mr. Mylroie** stated this is not confirmed. Notices for the October 20, 2012 meeting have been emailed to committee members. **Ms. Driscoll** asked that former members of the Comp Plan Update Committee be invited to this meeting. **Mr. Mylroie** will follow-up with this.

Mr. Kelly moved to adjourn

Ms. Grinnell seconded

Motion carries unanimously by all members present

The Kittery Planning Board meeting of September 13, 2012 adjourned at 9:05 p.m.
Submitted by Jan Fisk, Recorder – September 18, 2012